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BOARD OF OVERSEERS OF THE BAR

State of Maine

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Maine Supreme Judicial Cour	t	BAR 17-2 Maine Suprema Charles Constitution
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IN RE:)	Order Appointing
)	Receiver
Eliot Field, Esq.)	M. Bar R. 32
)	

Upon Petition filed by the Board of Overseers of the Bar and pursuant to M. Bar R. 32, the Court Orders:

As of this date, David B. Soule, Jr., Esq., is appointed Receiver for final closing of the law practice of Eliot Field. Pursuant to this Order, Attorney Soule shall:

- 1. secure any professional files, client property and client data of Eliot Field;
- 2. inventory the client files;
- 3. give priority to client matters that may be identified as open, active and apparently time sensitive;
- 4. notify former clients that the law practice has concluded and provide opportunity for those clients to retrieve their property;
- 5. assist clients with any active matters in their efforts to obtain new counsel;
- 6. if necessary, provide notice of appointment to all courts and relevant state and county agencies; and
- 7. if necessary, reconcile any IOLTA, client or office accounts.

As a service to the bar, Attorney Soule may serve as Receiver for the Field law office on a *pro bono* basis. However, Attorney Soule shall submit a semi-annual written report to the Court, copied to the Board's Special Counsel, containing a record of time worked and disbursements made in this matter. The law office of Eliot Field shall be the first choice for source of payment for the disbursements and any legal fees (at the state court appointment rate) sought by the Receiver. If insufficient assets are available from the law office, the Board of Overseers may be an alternate payment source for expenses related to the law office closure.

Attorney Soule shall act as Receiver until discharged by the Court in accordance with M. Bar R 32(c).

Attorney Soule so appointed shall not disclose any information contained in any file listed in such inventory without the consent of the client to whom such file relates except as may be necessary to carry out an order of court including any order under M. Bar R 32.

Attorney Soule may be engaged by any former client of Eliot Field provided that the client is informed in writing that the client is free to choose to employ any attorney, and that the Court's appointment order does not mandate or recommend the Receiver's employment by the client. Attorney Soule is subject to all Maine Rules of Professional Conduct, including M. R. Prof Conduct 1.7; 1.8 and 1.9 regarding conflicts of interest. However, a client's retention of the Receiver as successor counsel is not a *per se* conflict of interest solely by reason of Attorney Soule's appointment by this Order. Attorney Soule

Attorney Soule shall be protected from liability for professional services rendered in accordance with this Order to the extent permitted by law.

The Clerk is directed to incorporate this Order on the docket by reference.

Dated: 2 - 27, 2017

Associate Justice

Maine Supreme Judicial Court

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Clerk's Office Maine Supreme Judicial Court